

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Marie Therese N. Fonchenla,

Civil No. 19-2774 (DWF/TNL)

Plaintiff,

v.

ORDER

Walmart Store 2274, et al.,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Tony N. Leung dated July 29, 2020. (Doc. No. 35.) No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Tony N. Leung's Report and Recommendation dated July 29, 2020 (Doc. No. [35]) is **ADOPTED** as follows.
2. Plaintiff's Motion to Withdraw Amended Complaint Without Prejudice and Allow Plaintiff to File a New Complaint (Doc No. [30]) is **GRANTED**.
3. The Amended Complaint (Doc. No. [8]) is **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiff shall file a Second Amended Complaint on or before August 28, 2020.

5. If Plaintiff fails to file a Second Amended Complaint by August 28, 2020, final judgment shall be entered accordingly.

Dated: August 19, 2020

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge